



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BROTHERS, LANCE E.

Serial No.: 10/759,815

Filed: Jan. 16, 2004

Title: "SETTABLE FLUIDS AND METHODS
FOR USE IN SUBTERRANEAN
FORMATIONS"

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Group Art Unit: 1755

Examiner: Anthony J. Green

Atty. Docket No: HES 2003-IP-010261U1P1

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE WILL BE DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL, POST OFFICE TO ADDRESSEE, ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:

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P. O. Box 1450

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CAREY JORDAN

11/3/04
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EXPRESS MAIL LABEL: EV 448731699 US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Halliburton Energy Services, Inc., the owner of all right, title and interest in and to the above patent application and in and of U.S. Patent Number 6,689,208 ("the '208 Patent"), hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent

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granted on the above-identified patent application that would extend beyond the expiration date of the '208 Patent.

Applicant also hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the '208 Patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, their successors and assigns.

In making the above disclaimer, applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term, as defined in 35 U.S.C. §§ 154-156 and 173, of the '208 Patent, as presently shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Applicant has enclosed Check No. 907203 for the terminal disclaimer fee of \$110.00 under 37 C.F.R. § 1.20(d). The Commissioner is hereby authorized to deduct any other fees that may be due from Baker Botts L.L.P.'s (*formerly Baker & Botts, L.L.P.*) Deposit Account No. 02-0383, Order Number 063718.0432.

The undersigned is an attorney of record in the present case.

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

By: 

Carey C. Jordan
Registration No. 47,646
BAKER BOTTS L.L.P.
One Shell Plaza
910 Louisiana
Houston, TX 77002
Telephone: 713.229.1233
Facsimile: 713.229.7833
ATTORNEY FOR APPLICANT

Date: November 4, 2004